IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.5380 OF 2005

Smt.Priti Bye Raggoo Alqasmee ...Petitioner

vs.

State of Maharashtra & Ors. ...Respondents

Mr.R.L.Patil with Mr.Sureshchandra Bhosale for the Petitioner
Mr.A.S.Gadkari,A.P.P. for State

CORAM: A.S.OKA,J.
DATE : AUGUST 24,2005

P.C.:

1. The learned Counsel for the Applicant states that the Applicant is ready and willing to surrender before the concerned learned Magistrate. He states that time of one week may be granted to surrender. He states that he is not pressing this application on merits. He submitted that considering the fact that the Applicant is having a small child, application for bail, if made by the Applicant be directed to be heard immediately. The learned A.P.P. has not opposed the withdrawal of this application. However, he has opposed the other prayers made by the Applicant.

2. Considering the facts and circumstances of the case, time deserves to be granted to the Applicant to surrender before the learned Magistrate.

3. Hence I pass the following order :

i) Application is dismissed as withdrawn.

ii) The Applicant will surrender before the concerned learned Magistrate within a period of 7 days from today. The Applicant will give 24 hours prior notice to the Investigating Officer of her surrender before the learned Magistrate.

iii) After the Applicant surrenders before the learned Magistrate, both the parties will be free to apply for appropriate relief.

iv) If application for bail is presented by the Applicant, the concerned Court will endeavour to decide the same immediately. It is obvious that if application for bail is made by the Applicant, it will be decided by the concerned Court on its own merits without being influenced by the observations made by the learned Sessions Judge while rejecting the application for anticipatory bail.

JUDGE